

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**JOHN CORSON,
MIRANDA RUIZ,
EVELINDA HINOJOSA,
JUANITA HERRERA.,**

8:11CR43

ORDER

This matter is before the court on the defendant Evelinda Hinojosa's unopposed amended motion to continue trial [79] due to defense counsel's trial schedule and defendant Miranda Ruiz's motion to continue trial [81] due to ongoing plea negotiations. The defendant Miranda Ruiz has complied with NECrimR 12.1(a).

IT IS ORDERED:

1. That defendant Evelinda Hinojosa's Amended Motion to Continue [79] and defendant Miranda Ruiz's Motion for Continuance of Trial [81] are granted, as follows:

1. The jury trial now set for June 7, 2011 is continued to **June 28, 2011.**

2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **June 7, 2011 and June 28, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

3. Defendant Evelinda Hinojosa's Motion to Continue [78] is denied as moot.

4. Defendant Evelinda Hinojosa shall file an updated affidavit or declaration regarding speedy trial, in compliance with NECrimR 12.1(a), no later than June 3, 2011.

DATED May 31, 2011.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge